

ORDINANCE NO. Z-4217

SPECIAL USE PERMIT NO. 2022-00002

**AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL
USE PERMIT FOR CERTAIN PROPERTY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
OVERLAND PARK, KANSAS:**

Section 1. Special Use Permit Granted. Pursuant to regulations set forth in the Overland Park Municipal Code, Section 18.370, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property, to-wit:

Legal Description:
TRACT II:

BEGINNING 260 FEET SOUTH OF THE NORTHEAST CORNER OF THE EAST 13 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, JOHNSON COUNTY, KANSAS, THENCE S 87°48'34" W(M) (WEST(D)) 174.24 FEET; THENCE S 02°11'26" E(M) (SOUTH(D)) 250 FEET; THENCE N 87°48'34" E(M) (EAST(D)) 174.24 FEET; THENCE N 02°11'26" W (NORTH(D)) 250 FEET TO THE POINT OF BEGINNING.

TRACT III:

ALL OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, EXCEPT THE NORTH HALF OF THE NORTH THEREOF, CONTAINING SIXTY (60) ACRES, MORE OR LESS, FURTHER EXCEPTING A TRACT OF LAND IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE N 2°23'11" W(M) (N 2°22'22" W(D)), ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 300 FEET; THENCE S 87°41'06" W(M) (S 87°41'39" W(D)), PARALLEL WITH SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1324.65 FEET(M) (1,324.72 FEET(D)) TO A POINT OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE S 2°11'26" E(M) (S 2°10'45" E(D)), A DISTANCE OF 300 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE N 87°41'06" E(M) (N 87°41'39" E(D)), ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1325.68 FEET(M) (1325.74 FEET(D)) TO THE POINT OF THE

ORDINANCE NO. Z-4217

BEGINNING, AND EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROAD OR PUBLIC RIGHTS-OF-WAY.

TRACT IV:

THE EAST ½ OF THE NORTH ½ OF THE NORTH ½ OF THE EAST ½ OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, IN JOHNSON COUNTY, KANSAS, CONTAINING 10 ACRES MORE OR LESS, EXCEPT THE NORTH 256.80 FEET OF THE EAST 367.08 FEET OF THE EAST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, IN JOHNSON COUNTY, KANSAS, EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROADS OR PUBLIC RIGHT OF WAY.

TRACT V:

THE WEST ½ OF THE NORTH ½ OF THE NORTH ½ OF THE EAST ½ OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, IN JOHNSON COUNTY, KANSAS

TRACT VI: (UNPLATTED)

BEGINNING AT THE NORTHEAST CORNER OF THE EAST 13 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, RANGE 25, JOHNSON COUNTY, KANSAS, THENCE S 02°11'26" E(M) (SOUTH(D) 260 FEET; THENCE S 87°48'34" W(M) (WEST(D)) 174.24 FEET; THENCE S 02°11'26" E(M) (SOUTH(D) 250 FEET; THENCE N 87°48'34" E(M) (EAST(D)) 174.24 FEET; THENCE S 02°11'26" E(M) (SOUTH(D) 323.17 FEET; THENCE S 87°41'06" W(M) (S 87°41'39" WD) 426.07 FEET; (430.32 D) THENCE N 02°11'26" W (ALONG THE WEST LINE OF SAID EAST 13 ACRES) 832.46 FEET; THENCE N 87°35'23" E (ALONG NORTH LINE OF THE SE1/4) 426.07 FEET TO THE POINT OF BEGINNING.

Section 2. That the real property hereinabove described shall hereafter allow a drinking establishment and renewal of a commercial use for a three-year period of time.

All Zoning Ordinances or Zoning Regulations of the City of Overland Park, Kansas, affecting the use of the real property hereinbefore described which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

Section 3. Conditions and Stipulations. The special use permit granted in Sections 1 and 2 hereinabove in addition to full compliance with any general provisions contained in Chapter 18.370 of the Overland Park Municipal Code, Unified Development Ordinance, is hereby made contingent upon the performance and observation of the following additional and

ORDINANCE NO. Z-4217

supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

- a. The development shall be in accordance with Exhibit “A” (Site Plan), and Exhibit “B” (Building Elevations), which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. Provided, subsequent revisions may be made thereto in accordance with the application, notice, and other requirements of O.P.M.C. Title 18. In addition, the development shall follow and comply with all regulations and standards of the City of Overland Park, unless specifically exempted by the Governing Body.
- b. Prior to the issuance of a building permit, the Planning Commission shall approve final development plans. The final development plans shall include any proposed signage.
- c. The location and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.

Section 4. Take Effect. This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

PASSED by the City Council this 09th day of May, 2022.

APPROVED by the Mayor this 09th day of May, 2022.

CITY OF OVERLAND PARK, KANSAS

By: (s) Curt Skoog
Curt Skoog
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley
Elizabeth Kelley
City Clerk

By: (s) Trevor L. Stiles
Trevor L. Stiles
Senior Assistant City Attorney